

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS

Criminal No. **04-10237-NG**

UNITED STATES OF AMERICA

v.

RAMON DIAZ

MOTION FOR DISCHARGES OF MORTGAGES

Now comes the defendant Ramon Diaz, through undersigned counsel, and moves that this Honorable Court direct the office of Sarah Allison Thornton, Clerk for the United States District Court for the District of Massachusetts, to execute two Discharges of Mortgages, on forms appropriate for recording that will be filed with this motion.

As grounds for this motion, undersigned counsel states that Mr. Diaz was released from custody on or about March , 2006, subject to various conditions. His family members executed two mortgages running in favor of the Clerk for the United States District Court for the District of Massachusetts. The mortgages encumbered two separate in New Bedford Massachusetts, in the amounts of \$14,000 and \$24,000 respectively.

Mr. Diaz complied with all conditions of his release and on May 30, 2006, Mr. Diaz was acquitted of all charges pending against him. As the matter for which the mortgages were posted is now resolved, it is necessary that the

mortgages be discharged at the appropriate registry of deeds to provide his family with clear title to their realty.

June 1, 2006

/s/Raymond A. O'Hara
MA Bar #546366
1 Exchange Place
Worcester, MA 01608
508 832-7551

DISCHARGE OF MORTGAGE

THIS IS TO CERTIFY that a certain mortgage dated March 23, 2006 made by Jesús Mendoza and María Díaz to The Clerk for the United States District Court for the District of Massachusetts, One Courthouse Way, Boston, MA 02110 to secure the payment of the sum of \$14,000.00 (Fourteen Thousand Dollars and 00/100 Cents), recorded or registered on March 23, 2006 in the **Bristol County (Massachusetts) Southern District Registry of Deeds at Book 8055 Page 247** is paid or otherwise satisfied and discharged and may be discharged of record.

Property address: Unit 35, 342 Hathaway Boulevard, New Bedford, Massachusetts

For **title** see deed from Antonio Diaz to Jesus Mendoza, Maria Diaz and Jonathan Matos dated March 16, 2005 and recorded in the **Bristol County Southern District Registry of Deeds at Book 7458, Page 181.**

In witness whereof, this Discharge of Mortgage has been signed and sealed this _____ of _____, 2006.

X _____
Clerk/ Assistant Clerk, U.S. District
Court for the District of Massachusetts

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this the _____ day of June, 2006, before me,
_____, the undersigned Notary
(Name of Notary Public)

Public, personally appeared _____
Clerk/Assistant Clerk of the United States District Court for the District of Massachusetts, proved to me through satisfactory evidence of identity, which was _____

(Description of Evidence of Identity)
to be the person whose name was signed on the above document and who acknowledged that the contents of the above document are truthful and accurate to the best of his/her knowledge, information and belief and that signing the above document was his/her free act and deed in his/her capacity as Clerk/Assistant Clerk of the United States District Court for the District Of Massachusetts and the free act and deed of the Clerk of the United States District Court for the District of Massachusetts.

Signature of Notary Public

Printed Name of Notary Public

My Commission Expires:

DISCHARGE OF MORTGAGE

THIS IS TO CERTIFY that a certain mortgage dated March 23, 2006 made by Jesús Mendoza and María Díaz to The Clerk for the United States District Court for the District of Massachusetts, One Courthouse Way, Boston, MA 02110 to secure the payment of the sum of \$24,000.00 (Twenty four Thousand Dollars and 00/100 Cents), recorded or registered on March 23, 2006 in the **Bristol County (Massachusetts) Southern District Registry of Deeds at Book 8055 Page 243** is paid or otherwise satisfied and discharged and may be discharged of record.

Property address: 177 Shawmut Avenue, New Bedford, Massachusetts

For **title** see deed from Steven M. Kelly to Jesus Mendoza and Maria Diaz dated September 15, 2003 and recorded in the **Bristol County Southern District Registry of Deeds at Book 6525, Page 23.**

In witness whereof, this Discharge of Mortgage has been signed and sealed this _____ of _____, 2006.

X _____
Clerk/ Assistant Clerk, U.S. District
Court for the District of Massachusetts

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this the _____ day of June, 2006, before me,
_____, the undersigned Notary
(Name of Notary Public)

Public, personally appeared _____
Clerk/Assistant Clerk of the United States District Court for the District of Massachusetts, proved to me through satisfactory evidence of identity, which was _____

(Description of Evidence of Identity)
to be the person whose name was signed on the above document and who acknowledged that the contents of the above document are truthful and accurate to the best of his/her knowledge, information and belief and that signing the above document was his/her free act and deed in his/her capacity as Clerk/Assistant Clerk of the United States District Court for the District Of Massachusetts and the free act and deed of the Clerk of the United States District Court for the District of Massachusetts.

Signature of Notary Public

Printed Name of Notary Public

My Commission Expires:

CERTIFICATE OF SERVICE

I, Raymond A. O'Hara, appearing attorney for the Defendant Ramon Diaz in this matter, hereby certify that true copies of the within Motion and attachments have this date been filed electronically with the Court.

DATED: June 5, 2006

/s/Raymond A. O'Hara
Raymond A. O'Hara, Esquire
1 Exchange Place
Worcester, MA 01608
(508) 831 7551
BBO #546366

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